

**UNITED STATES DISTRICT COURT**  
**for**  
**EASTERN DISTRICT OF NORTH CAROLINA**  
**WESTERN DIVISION**

**U.S.A. vs. Charles J. Lopez**

**Docket No. 5:12-MJ-1025-1**

**Petition for Action on Conditions of Pretrial Release**

COMES NOW Matthew Smith, probation officer of the court, presenting an official report upon the conduct of defendant, Charles J. Lopez, who was placed under pretrial release supervision by the Honorable James E. Gates, U.S. Magistrate Judge, sitting in the Court at Fayetteville, NC, on the 10th day of April, 2012, under the following conditions:

- Report to the probation office or supervising officer as directed.
- Refrain from any use of alcohol.
- Refrain from use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner.
- Submit to any testing required by the pretrial services office or the supervising officer to determine whether the defendant is using a prohibited substance. Any testing may be used with random frequency and include urine testing, the wearing of a sweat patch, a remote alcohol testing system, and/or any form of prohibited substance screening or testing. The defendant must refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing or monitoring which are required as a condition of release.
- Participate in a program of inpatient or outpatient substance abuse therapy and counseling if the pretrial services office or supervising officer considers it advisable.
- Report as soon as possible to the supervising officer any contact with law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant is currently receiving substance abuse treatment. His counselor believes that the defendant would also benefit from mental health treatment. As a result, we are requesting the court to modify the conditions of release to include mental health counseling as directed. The defendant signed a waiver agreeing to this modification

**PRAYING THAT THE COURT WILL ORDER** that the conditions of release be modified to include the following:

The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt

/s/Matthew Smith

Robert K. Britt

Matthew Smith

Senior U.S. Probation Officer

U.S. Probation Officer

310 Dick Street

Fayetteville, NC 28301-5730

Phone: (910) 483-8613

Executed On: June 26, 2012

**ORDER OF COURT**

Considered and ordered this 26 day of June, 2012, and ordered filed and made a part of the records in the above case.

  
James E. Gates  
United States Magistrate Judge